

**REMARKS**

The allowance of claims 9 and 11 is gratefully acknowledged by the Applicant.

Claims 1 and 10 have been amended. The application contains claims 1 and 9-11, of which claims 9 and 11 have been allowed. Applicant reserves the right to pursue the original claims and other claims in this application and in other applications.

Claims 1 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP 11-162003. The rejection is respectfully traversed.

Claim 1 recites an optical pickup device comprising a light source, a plurality of light receiving members and a signal processing circuit. According to claim 1, the signal processing circuit converts "current signals output from each of the plurality of light receiving members into voltage signals, add[s] the voltage signals to obtain an added voltage signal, and attenuate[s] a level of the added voltage signal with a fixed attenuation regardless of the frequency." Applicant respectfully submits that JP 11-162003 fails to disclose the claimed invention.

The Office Action states that the claim 1 "attenuate" limitation reads on any element that alters the added signal such as an equalizer, differential amplifier, gain control . . . etc. Office Action at 2. The Office Action further states that JP11-162003 teaches a signal processing circuit 5 having elements 501, 502 and 504 in order to attenuate the summed signal from the added (RF) signal from the photo detection means. Id. Applicant respectfully traverses these arguments.

Applicant respectfully submits that circuit element "5" in JP 11-162003 is a "data reproducing section." The data reproducing section 5 includes an equalizer 501,

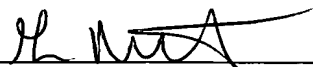
a binarization circuit 502, a demodulating and ECC circuit 503, and a PLL 504. The equalizer 501, unlike the claimed invention, has a frequency characteristic such that any "attenuation" (presuming the equalizer even attenuates) varies with frequency. In addition, any attenuation of a differential amplifier and a gain control circuit will vary dynamically.

By contrast, the attenuation carried out by the claimed invention is fixed "regardless of the frequency." JP11-162003 fails to teach or suggest an attenuation that is fixed regardless of frequency. Accordingly, it is believed that claim 1 is allowable over JP11-162003.

Claim 10 also recites "means for converting current signals output from each of the plurality of light receiving members into voltage signals, adding the voltage signals to obtain an added voltage signal, and attenuating a level of the added voltage signal with a fixed attenuation regardless of the frequency." As such, claim 10 is allowable over the cited reference for at least the reasons set forth above and on its own merits. Accordingly, it is believed that claims 1 and 10 are allowable over JP 11-162003. The rejection should be withdrawn and the claims allowed.

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Respectfully submitted,

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